REMARKS

This Amendment and the following remarks are intended to fully respond to the Final Office Action mailed March 15, 2006. Claims 1-28 were examined in that Office Action, and all claims were rejected. More specifically, claims 1, 2, 4-6, 8, 13, 14, 16, and 21-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Brown et al. (USPN 6,067,551); claims 7 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brown et al. in view of Pham et al. (USPN 6,560,719); claims 1, 3, 5, 9, 10, 13, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moody et al. (USPN 5,890,177); and claims 11, 12, 19, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Moody et al. in view of Thorne et al. (USPN 5,958,005). Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Amendment, claims 1, 5, 13 and 23 have been amended. No claims have been canceled and no new claims have been added. Therefore, claims 1-28 remain pending for examination.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 2, 4-6, 8, 13, 14, 16, and 21-28 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Brown et al. (USPN 6,067,551) "hereinafter Brown." Applicant respectfully traverses the § 102(e) rejections.

Claims 1, 5, 13, and 21 have been amended to clarify that the claimed embodiments of the present invention do not track local copies provided to users to control the changes that are made to the original document. As discussed in detail in previous responses, the claimed invention is distinct from processes such as disclosed by Brown, which use a central process/file to control access to an original document, to track the local copies of an original document provided to users, and to control the application of changes/edits to the original document. In contrast to methods like the one disclosed in Brown, the claimed invention does not have a central file that tracks the various local copies provided to users. Rather, the local copies are stored with a path to the original document, and any changes made to the local copy may be merged with the original document without referencing a central file or process.

Brown teaches a method of controlling multi-user editing of a master copy of a document using a multi-user control file (MCF). See Brown, at Abstract and col. 2, lines 51-56. The MCF

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is created on a file server that stores the master copy of the document. Id. The MCF is not created on any remote computer. See Brown, at col. 4, lines 11-14. The MCF provides access, for remote users, to the master copy on the file server. Id. The MCF tracks all versions of the master copy being edited by one or more users. See Brown, at col. 2, lines 52-56. In addition, the MCF administers the synchronization of the different versions that have been or are being edited by the different users. See Brown, at col. 2, lines 56-65. To accomplish the synchronization, the MCF contains a record for each version of the master copy that is being edited by remote users. See Brown, at col. 11, lines 45-48. The records in the MCF include an unlock/lock flag, a document name, a master copy version identifier, and a date the master copy was last edited. See Brown, at col. 13, lines 30-47.

With respect to establishing anticipation of a claim, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP § 2131 (quoting Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added)).

Newly amended claims 1, 5, 13, and 21 are not anticipated by Brown, because they clearly state that versions of local copies are not tracked in order to control the merging of changes with the original document. As the Examiner has specifically pointed out in previous Office Actions, Brown specifically teaches the use of a multi-user control file that tracks the local versions of an original document to control the merging of changes with the original document. For this reason alone, claims 1, 5, 13, and 21 are distinct from, and allowable over, Brown.

Moreover, as previously argued, the present invention differs from Brown in that a path of the original document is stored with the local copy. Having the path of the original document stored with the local copy allows the remote computers to find the original document and merge any changes with the original document without the need to reference a central process, such as the MCF used by Brown. A process that stores the path of the original document with the local copy to provide distributed control of the multi-user editing process is in stark contrast with the invention of Brown et al.

Furthermore, specifically with respect to claim 1, Brown does not disclose that "in response to a determination that the original document is still in use by another user, saving the local copy with the path of the original document such that a subsequent merge of the saved local

copy and the original document can be performed." The Examiner refers to the save operation disclosed by Brown as disclosing this element of claim 1. However, Brown does not disclose that when the master copy is locked and a user tries to save edits, that the process saves a copy of the local copy with the path of the master copy. Rather, Brown states:

> At step 255, User 1 edits the local copy 65. At step 260, User 1 saves the edits
> made to User 1's local copy 65. At step 265, the method determines whether the
> MCF 100 is unlocked. If the MCF 100 is locked at step 265, the method follows
> the "no" branch to step 270. At step 270, the WP 36a displays a dialog box to
> User 1 on the monitor of the remote computer 49 instructing User 1 to retry the
> saving request. User 1 tries to save the edits again at step 260. If, at step 265, the
> MCF 100 is unlocked, the method implemented by the WP 36a follows the "yes"
> branch to step 275 in FIG. 2C. Brown, at col. 12, lines 25-35 (emphasis added).

Brown discloses that when the master copy is unavailable for saving changes made by a user on a local copy, the user is prompted to retry saving the document. Id. This is distinct from claim 1, which saves the local copy with a path of the original document for merging later with the original document.

Additionally, with respect to claim 5, Brown does not disclose the elements of claim 5, which recite monitoring the original document; and in response to a determination that the original document is no longer in use, notifying a user that the original document is no longer in use.

For at least these reasons, Applicant respectfully requests reconsideration of the rejections to claims 1, 5, 13, and 21 in view of Brown as each of these claims are distinguishable over Brown.

Claims 2-4, 6-12, 14-20, and 22-28 are also patentable over Brown as these claims depend from claims 1, 5, 13, and 21, and thus recite elements that further distinguish the claimed invention from Brown.

Claim Rejections – 35 U.S.C. § 103

Claims 5-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brown in combination with Pham et al. (USPN 6,560,719) "hereinafter Pham." Claims 1, 3, 5, 9, 10, 13, and 17-18 stand rejected under 35 U.S.C. § 103(a) over Moody et al. (USPN 5,890,177)

"hereinafter Moody." Claims 11, 12, 19 and 20 stand rejected under 35 U.S.C. § 103(a) over Thome et al. (USPN 5,958,005) "hereinafter Thome."

Claim 7 depends upon claim 5, and claim 15 depends upon claim 13. As explained above, Brown does not teach or suggest a method for simultaneous multi-user editing of a document without tracking of local copies provided to users, and that also includes storing the path of the original document with a local copy. Further with respect to claim 5, Brown does not teach monitoring the original document and in response to a determination that the original document is no longer in use, notifying a user that the original document is no longer in use. Pham et al. fails to make up the difference. Rather, Pham describes the backing-up of registry keys onto a remote computer. See Pham at col. 2, lines 44-50. Pham is not directed at any process for multi-user editing of documents. As such, the combination of Brown and Pham does not teach or suggest all the claim limitations of claim 7 or claim 15 (or any other pending claim) and consequently, the Examiner has not established a prima facie case of obviousness to reject the claims.

The Examiner maintains the previous rejection of claims 1, 3, 5, 9, 10, 13, and 17-18 in view of Moody. As previously argued, Moody does not teach or suggest in response to a determination that the original document is in use by a second user, creating and storing a local copy and storing a path of the original document with the local copy, nor does Moody teach in response to a determination that the original document is still in use by another user, saving the local copy with the path of the original document.

Indeed, the Examiner concedes that Moody does not teach the limitation of in response to a determination that the original document is still in use by another user, saving the local copy with the path of the original document. See Final Office Action, March 15, 2006, page 19. The Applicants respectfully submit that the Examiner does not cite to any other reference that would make up for this deficiency. The Examiner makes assertions regarding Moody, such as: ". . . he does teach 'edited copies' and 'original documents' are stored until other edited copies are complete;" "The local copies of the documents are transmitted to the editors;" and ". . . it would have been obvious to one of ordinary skill in the art to recognize that the 'edited copies' are stored until the other edited copies are complete . . . ." Id. at pages 19-20. However, none of these statements can be reasonably interpreted to disclose "in response to a determination that the

original document is still in use by another user, <u>saving the local copy with the path of the original document</u>."

Furthermore, with respect to claim 5 and the limitation "monitoring the original document; and in response to a determination that the original document is no longer in use, notifying the user that the original document is no longer in use," the Examiner asserts that Moody discloses this limitation. However, the undersigned cannot find any mention in Moody of <u>notifying the user that the original document is no longer in use.</u> The Examiner asserts that Moody teaches: an original and edited copies; that the original and edited copies are compared, and that the system waits until the editors have completed edits, but none of these limitations is the same as actively <u>notifying the user that the original document is no longer in use.</u> Nor does the Examiner cite to any other reference to make up for this deficiency in Moody.

For at least the foregoing reasons, claims 1, 5, and 13 (as well as claim 21) are patentable over Moody. Furthermore, claims 3, 9, 10, 17, and 18 each depend from one of claims 1, 5, 13 and 21, and therefore are allowable for reciting at least those limitations of the independent claims deficient from the teachings of Moody and because they recite additional limitations that further distinguish over Moody.

As explained above, Moody does not teach or suggest storing the <u>path of the original document with the local copy</u>. Thorne does not compensate for the inadequacies of Moody. Thorne teach creating email messages with configurable security settings that allow the user to tailor the handling of each email message according to that message's security settings. <u>See Thorne</u>, at Abstract. Thorne never teaches or suggests storing the path of the original document with the local copy. As such, the combination of Moody and Thorne does not teach or suggest all the claim limitations, and consequently the Examiner has not established a prima facie case of obviousness with respect to claims 11-12 and 19-20.

For at least these reasons, Applicant respectfully requests reconsideration of the rejections to all of the pending claims 1-28 in view of Brown, Moody, Pham, and Thorne as each of these claims are believed to recite the present invention in a manner distinguishable over the above references individually and in any combination.

Conclusion

This Amendment fully responds to the Final Office Action mailed on March 15, 2006. Still, that Office Action may contain arguments and rejections and that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

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Respectfully submitted,

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